

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHEASTERN DIVISION

United States of America,

Plaintiff,

-vs-

Raymond Lawrence Peltier, Sr.,

Defendant.

)
)
)
)
)
)
)
)
)
)

Case No. 2:04-cr-143

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Following a referral from the undersigned judge, Defendant Raymond Lawrence Peltier, Sr. appeared before the Magistrate Judge for a hearing on alleged violations of supervised release conditions. The Court has received a Report and Recommendation from the Honorable Alice R. Senechal, United States Magistrate Judge, pursuant to 28 U.S.C. § 636, recommending Peltier's supervised release be revoked, that he be sentenced to an imprisonment term of time served, and that he serve a new term of supervised release through June 1, 2011. At the hearing both parties waived their right to object.

The Court has reviewed the Report and Recommendation, along with the entire file, and finds the Magistrate Judge's recommendations are appropriate. Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. For the reasons set forth therein, the Court finds Peltier violated conditions of supervised release as admitted at the hearing. The Court orders the portion of the petition relating to the assault charge dismissed. In light of the violations, the Court **ORDERS** Peltier's supervised release **REVOKED**. Peltier is sentenced to a term of imprisonment of time served. Peltier is **FURTHER ORDERED** to serve a new term of supervised release through June 1, 2011, with the following special conditions:

- (1) Peltier shall reside at the Lake Region Residential Reentry Center through June 1, 2011 and follow all rules and conditions of the center.
- (2) Peltier shall be allowed release for school, group sessions, and AA meetings.
- (3) Peltier shall continue to abide by any supervised release condition not otherwise modified by this Order.

The Clerk is directed to file a Judgment revoking Peltier's supervised release consistent with this Order.

IT IS SO ORDERED.

Dated this 22nd day of October, 2010.

/s/ Ralph R. Erickson
Ralph R. Erickson, Chief Judge
United States District Court